

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

appear before him forthwith to testify in relation thereto; *provided, however,* that the costs of such summons and the service thereof, and the lawful fees of all witnesses therein named shall be paid in the first instance by the complainant in the case, and neither the said justice nor the officer serving the same, nor the witnesses therein named, shall have any claim upon the state therefor.

CHAP. 184.
Costs and fees,
how paid.

SECT. 2. Any person so summoned as aforesaid, shall be held to appear and testify in accordance with such summons, in the same manner, and shall be subject to the same penalties as he would be for disobeying the summons of the state issued in any other case, provided such witness shall have been paid his lawful fees for travel and attendance in the case, at the term he was so summoned, and not otherwise.

Persons sum-
moned, held to
testify, &c.

SECT. 3. In case any such justice of the peace or judge shall, after hearing the testimony of any such witness or witnesses, determine to issue any such warrant so prayed for, upon any complaint so made, (which he is hereby authorized to do,) and the person or persons therein named, or any of them, shall upon the final trial or hearing upon such complaint, or upon any indictment for the same offense, be convicted of the offense therein named, the complainant shall be allowed, and there shall be taxed for him in the bill of costs relating to such matter, any and all sums of money by him paid for legal costs as aforesaid to any justice, judge, officer or witness as aforesaid, and not otherwise.

Complainant,
entitled to costs.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved March 17, 1855.]

Chapter 184.

An act relating to criminal proceedings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. If the clerk of any court in any other of the New England states shall certify that there is a criminal cause pending in such court, and that a person residing in this state is supposed to be a material witness therein, any justice of the peace shall, upon such certificate or paper annexed thereto, issue a summons requiring such witness to appear and testify at such court; *provided,* no such certificate shall be issued unless upon affidavit filed in said court.

Witnesses may
be summoned
out of the state
to testify in
certain cases.

CHAP. 185.

Penalty for neglect.

SECT. 2. If any person upon whom such summons shall be served, on having tendered to him twelve cents for each mile to be traveled to and from such court, and two dollars for each day his attendance may be required, shall unreasonably neglect or refuse to attend and testify at said court, he shall forfeit the sum of two hundred dollars to any person who will sue for the same.

SECT. 3. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 17, 1855.]

Chapter 185.

An act to amend "An act in relation to the affairs of the state prison," approved April first, one thousand eight hundred and fifty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Inspectors of state prison, compensation for services.

The inspectors shall be paid one hundred dollars each per annum for their services, from and after January first, one thousand eight hundred and fifty-five, instead of the sum provided in the third section of the act to which this is additional.

[Approved March 17, 1855.]

Chapter 186.

An act to abolish the police court for the city of Bangor, and to establish a municipal court for said city, with enlarged jurisdiction.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Municipal court of Bangor established.

SECT. 1. There is hereby established in and for the city of Bangor a court to be denominated the municipal court of Bangor.

—to be a court of record.

SECT. 2. Said court shall be a court of record and have a seal to be affixed to all original processes issuing therefrom.

Judge.

SECT. 3. Said court shall consist of one judge, to be appointed in the manner and for the term provided by the constitution.

—concurrent jurisdiction with justices of the peace and justices of the peace and quorum.

SECT. 4. Said judge shall have concurrent jurisdiction with justices of the peace in all matters, civil and criminal, within the county of Penobscot, and with justices of the peace and quorum in all cases of forcible entry and detainer arising in said county.